



REQUEST FOR FILING A PATENT APPLICATION UNDER 37 C.F.R. §1.53(b)
Attorney Docket: 056205.53230C1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop PATENT APPLICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a request for filing a continuation application under 37 C.F.R. 1.53(b), of pending prior application:

| | |
|------------|---|
| Serial No. | 10/485,993 (International Application No. PCT/JP01/06811) |
| Filed on | February 5, 2004 |
| Of | Masatoshi HOSHINO, <i>et al.</i> |
| Entitled: | DEVICE FOR CONTROLLING THROTTLE VALVE |

- ☒ 1. Accompanying this order is a new specification that does not contain any subject matter that would have been new matter in the prior application.
Total pages of specification, claims and abstract: 26
- ☒ 2. 9 Sheets of drawings depicting Figures 1-10.
- ☒ 3. Declaration and Power of Attorney:
- a. ☐ Newly executed (original or copy)
- b. ☒ Copy from prior application
- i. ☐ Deletion of Inventors - signed statement attached deleting inventor(s) named in the prior application
- ☒ 4. Incorporation by Reference:
- The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 3b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

- ☐ 5. Small entity status:
- a. ☐ A small entity statement is enclosed
- b. ☐ A statement of small entity status (copy attached) was filed on _____ in the prior application and status as a small entity is still proper and desired.
- c. ☐ Is no longer claimed
- ☒ 6. The filing fee is calculated below:

**CLAIMS AS FILED, INCLUDING ANY CLAIMS
CANCELLED OR ADDED BY PRELIMINARY AMENDMENT**

| | | | | | | | | |
|--------------|--------------------------------------|---|----|---|---|---|-------------------|----------|
| Basic Fee | | | | | | | | \$770.00 |
| Total Claims | 3 | - | 20 | = | 0 | x | 18 = \$ | |
| Ind. Claims | 2 | - | 3 | = | 0 | x | 86 = \$ | |
| | Multiple Dependent Claims + 290 = \$ | | | | | | <u> </u> | |
| | Total | | | | | | \$770.00 | |

- ☐ 7. Please charge my Deposit Account No. 05-1323 (Docket #__) in the amount of \$__.
- ☒ 8. A check in the amount of \$770.00 to cover the filing fee is enclosed.
- ☒ 9. The Commissioner is authorized to charge any fee which may be required under 37 CFR 1.16 or 37 CFR 1.17 or credit any overpayment to Deposit Account No. 05-1323 (Docket #056205.53230C1).
- ☒ 10. Amend the specification by inserting before the first line the sentence: --This application is a continuation/division of application Serial No. 10/485,993, filed February 5, 2004.--
- ☐ 11. Priority of Appln. No(s). __, filed in __ on __, is hereby claimed under 35 U.S.C. 119.
- ☐ 12. A certified copy of each said priority document was filed in application Serial No. __ on __.
- ☐ 13. The prior application is assigned of record to __.

- ☒ 14. The power of attorney in the prior application is to:

Herbert I. Cantor, Reg. No. 24,392; James F. McKeown, Reg. No. 25,406; Donald D. Evenson, Reg. No. 26,160; Joseph D. Evans, Reg. No. 26,269; Gary R. Edwards, Reg. No. 31,824; and Jeffrey D. Sanok, Reg. No. 32,169.

- ☒ a. The power appears in the original application papers in the prior application.
- ☐ b. Since the power does not appear in the original application papers, a copy of the power in the prior application is enclosed.
- ☐ c. Attached is a duplicate of a Supplemental Declaration which was filed in the prior application to overcome informalities.
- ☒ d. Address all future correspondence to:

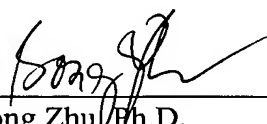
CROWELL & MORING, LLP
Intellectual Property Group
P.O. Box 14300
Washington, DC 20044-4300

Customer No.
23911

- ☒ 15. Copies of Forms PTO-892 and PTO-1449 listing prior art made of record in the prior application are attached. A copy of each of the listed references should be available in the prior application file.
- ☒ 16. Return Receipt Postcard.
- ☒ 17. Other: Application Data Sheet

Respectfully submitted,

April 1, 2004



Song Zhu, Ph.D.
Registration No. 44,420

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